

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30363 of 2020

Arising Out of PS. Case No.-268 Year-2019 Thana- MOKAMAH District- Patna

Sanjay Kumar @ Bechan, Son of Surendra Prasad @ Surendra Prasad Verma,
Resident of Village-Sankarbar Tola, P.S.-Mokama, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-11-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Mr. Anant Kumar, learned APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Mokama P.S. Case No.268 of 2019 registered for the offence punishable



under Section 302/34 of the Indian Penal Code.

The prosecution case alleges that the informant's daughter has been done to death in her matrimonial home. There is an allegation that her husband was having an illicit relation with some other woman.

It is submitted by the petitioner's counsel that by virtue of his relationship (*Devar*), the petitioner has been implicated along with the mother-in-law and the father-in-law of the victim. The mother-in-law was allowed anticipatory bail and the father-in-law was allowed regular bail by this Court. The petitioner having identical allegations is in custody since 18.11.2019. The husband of the victim is already in custody. The petitioner bears clean antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Barh, District-Patna, in connection with Mokama P.S. Case No.268 of 2019, subject to



the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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